

**ENVIRONMENTAL PROTECTION AGENCY  
REGION 1 - BOSTON**

**CLASS. NO.: 1200  
DELEGATION NO.: 5-17-A**

**DELEGATION OF AUTHORITY**

**DATE: 4-10-2017**

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

5-17-A. Civil Judicial Enforcement Actions, Including Collection Actions

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 5-17-A issued by EPA Headquarters on January 18, 2017.

B. Authority.

- a. To request the Attorney General (AG) to appear and represent the Agency in any civil enforcement actions, including actions to collect unpaid penalties, and to intervene in any civil enforcement actions instituted under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).
- b. To request the AG to decline to prosecute a previously referred civil enforcement action or cease prosecution of a previously filed civil judicial action.

2. TO WHOM REDELEGATED.

A. The Director, Office of Environmental Stewardship (OES) may exercise the authorities in 1.B.a. and 1.B.b.

3. REDELEGATION AUTHORITY.

A. The authorities in 1.B.a. and 1.B.b. may be redelegated to the Branch Chief level, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

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A. The Director, OES must obtain the advance concurrence of the Manager, Legal Enforcement Office, OES, or his/her designee, on the legal sufficiency of the action before exercising the authorities in 1.B.a. and 1.B.b. The Manager, Legal Enforcement Office, OES, or his/her designee, may waive concurrence in writing.

B. The Director, OES must notify the RA and AA for OECA when exercising the authority in 1.B.a. and prior to exercising the authority in 1.B.b. The AA for OECA may waive the notification in writing.

C. The authorities in 1.B.a. and 1.B.b. may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

D. The AA for OECA must notify the appropriate Regional Administrator prior to exercising the authorities in 1.B.a. through 1.B.b. above, and 1.B.c as stated in the EPA Headquarters delegation issued on January 18, 2017.


**5. ADDITIONAL REFERENCES.**

A. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).

B. Section 16(c) of FIFRA.

C. See Chapter 5 delegation entitled *Emergency TROs* for the Director, OES' authority to make direct referrals of request for emergency FIFRA Temporary Restraining Orders.

**6. SUPERSESSION. None.**

  
Deborah A. Szaro  
Acting Regional Administrator

4/10/17  
Date